

Syrax, 235 F.3d 422, 427 (9th Cir. 2000).

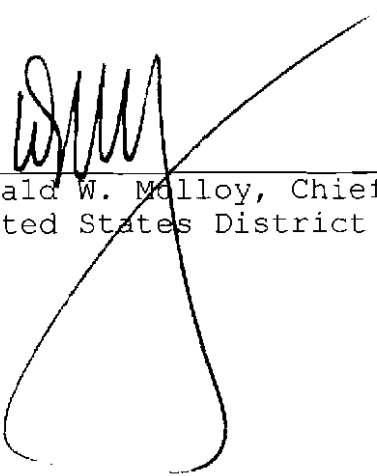
It is Judge Ostby's recommendation that the Commissioner's motion for summary judgment be denied and this case be remanded to the Commissioner to evaluate whether Knudson's morbid obesity is medically equivalent to Listing 1.02A. She further recommended that judgment should be entered pursuant to sentence four of 42 U.S.C. § 405(g), reversing the Commissioner's decision.

I find no clear error in Judge Ostby's Findings and Recommendation (dkt #19) and adopt them in full: the motion for summary judgment (dkt #15) is DENIED;

IT IS FURTHER ORDERED that judgment shall be entered pursuant to sentence four of 42 U.S.C. § 405(g), REVERSING the Commissioner's decision; and

IT IS FURTHER ORDERED that the case is REMANDED for further administrative proceedings consistent with this order and Judge Ostby's Findings and Recommendation.

DATED this 6th day of April, 2007.



Donald W. Malloy, Chief Judge
United States District Court